

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, August 17, 2015 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson (arrived at 6:22 pm), Mike Bachand, Branden Bestgen, Rod Bradley, Tony Dargatz, David Hersrud, Adam Martin, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Bestgen, second by Waterland and carried with all members present voting yes to approve the agenda.

Motion by Martin, second by Bachand and carried with all members present voting yes to go into executive session for two legal cases, three contracts and one personnel at 6:02 pm.

Motion by Martin, second by Waterland and carried with all members present voting yes to return to regular session at 6:33 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

- The Community after Rally Picnic will be held on August 19<sup>th</sup> at the Harley-Davidson Rally Point. The movie for kids will start at 4:30 with the picnic from 5:00-7:00. The ribbon cutting will be at 6:00 pm. There will be a band playing.
- The Mustang Rally will be held September 3 – 6.
- The next Council meeting will be held on September 8<sup>th</sup> due to the Labor Day holiday.
- Mayor Carstensen sends condolences from the City to the Lecy/Bachand Family for the loss of their Mother.
- Councilor Martin sends condolences from the City to the Barff Family for the passing of Patty.
- Councilor Waterland said the Half Mile Race during the Rally was very successful.
- Mayor Carstensen proclaimed August 17<sup>th</sup>, 2015 as Veterans-Now and Forever Day and a day to honor those who have and continue to serve in the struggle for our freedoms.

### City Manager Ainslie reported:

- The budget numbers for the end of July 2015 are as follows: General Fund is at 57.7%; SST 81.8 %; Capital Imp 77.4%; Liquor 62.2%; Water 67.1%; Wastewater 69.7 %; Sanitation 55.7% and Ambulance 56.6%. Total budget at 66.03%
- Payroll Changes – within budget: Streets Dept – Matt Sundberg – Heavy Equipment Operator - \$11.74. Liquor Store – Sales Clerk – Trishelle Tammi - \$8.50, rally \$11.00 at store and \$15.00 annex. Rally & Events Dept – superstore assistant – Nick Klusak – rally \$8.50.

Motion by Hersrud, second by Anderson and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Approve the minutes from the July 27, 2015 regular council meeting.
- b. Set a public hearing for September 8, 2015 for Harley-Davidson Way road closure from Main Street to the alley and open container permit for the Octoberfest on September 26<sup>th</sup>.
- c. Set a public hearing for September 8, 2015 for closure of street for the Supermoto on September 18-20, 2015.
- d. Set a public hearing for September 8, 2015 for closure of street for Gran Fondo on September 13, 2015

Motion by Bestgen, second by Martin and carried with Carstensen, Anderson, Bachand, Bestgen, Bradley, Dargatz, Martin and Waterland voting yes, Hersrud abstaining, to approve the following claims with the addition of General-Casey Snodgrass, \$32.25, rally info booth:

**Wages** – Ambulance \$60,043.06; Attorney \$3941.25; Auditorium \$242.65; Buildings \$1094.78; Cemetery \$2728.83; City Manager \$5717.71; Community Center \$24,321.78; Finance Office \$12,213.45; Fire Department \$15,929.43; Human Resource \$3137.63; Library \$7841.36; Liquor \$37,966.27; Mayor and Council \$3450.94; Parks \$15,826.74; Planning & Permitting \$14,711.20; Police \$360,278.15; Rally \$27,445.56; Recreation \$3905.61; Sanitary Service \$19,058.26; Streets \$19,343.68; Wastewater \$9711.21; Water \$12,909.70; Federal Withholding \$87,903.55; FICA \$49,880.88.

**Water approved at 7-27-15 council meeting;**

American Water Works Assn, \$295.00, prof fee; Campbell Supply, \$94.61, sup; CBH, \$554.48, sup; Dakota Hardware, \$50.28, sup; Ecolab Pest Eliminator, \$250.00, prof fee; G&H Distributing, \$137.92, sup; Hawkins, \$2,020.84, sup; HD Supply Waterworks, \$964.96, sup; Meade County Times Tribune, \$63.96, prof fee; Midcontinent Testing Lab, \$260.00, prof fee; Suzanne Olson, \$25.00, refund; Oreilly Auto Parts, \$90.93, rep; Pete Lien & Sons, \$267.75, sup; Rockingtree Floral, \$18.24, sup; Rushmore Office Supply, \$130.96, sup; SD One Call, \$138.88, sup; Servall, \$11.86, sup; Shopko, \$6.68, sup; Sturgis Napa, \$33.48, rep; Town-n-Country Plumbing, \$8.59, sup; Wells Plumbing, \$46.94, sup.

**Combined Cash Fund** - First Interstate Bank, \$2,000.00; First Interstate Bank, \$10,000.00; First Interstate Bank, \$10,000.00

**General** – A&B Business, \$593.72, sup; A&J Surplus, \$46.48, sup; Amazon, \$256.65, sup; Amcon Distributing, \$1,208.66, resale; American Legal Services, \$57.92, prof fee; Arlen Ness Enterprises, \$650.00, refund; Associated Supply, \$39.44, sup; Avaya, \$36.39, util; Baker & Taylor, \$392.24, sup; Elton Lane Barden, \$160.00, prof fee; Bentz Equipment, \$77.62, rep; BH Chemical, \$5,317.04, sup; BH Library Consortium, \$5,550.28, rep; BHP, \$29,605.58, util; BH Rally & Gold \$3,748.75, resale; Buckle Tree, \$1,775.87sup; Fay Bueno, \$500.00, ins; Butte Electric, \$461.62, util; Campbell Supply, \$1,319.53, sup; Caselle, \$1,479.00, prof fee; Cash-Wa Distributing, \$806.58, other; CBH, \$16,665.10, sup; Century Business Products, \$81.49, sup; Chain Saw Center, \$71.94, sup; City of Sturgis Water, \$3,617.07, util; Coca cola, \$5,152.60, sup; Council of State Governments, \$58.50, sup; Cummins-Allison Corp, \$200.00, rep; Dakota Business Center, \$77.16, rep; Dakota Contracting, \$357.00, sup; Dakota Hardware, \$694.10, sup; Dale's Tire & Retreading, \$116.02, rep; Demco, \$240.09, sup; Display Sales, \$207.80, sup; ET Sports, \$117.97, rep; EB Communications, \$303.00, sup; Ecolab Pest Eliminator, \$355.98, rep; Eddies Truck Sales, \$120.74, rep; Faith Independent, \$37.00, sup; Fastenal Company, \$173.83, sup; Fedex, \$833.22, sup; Fence Crafters, \$1,818.66, rep; First Interstate Bank Mastercard, \$5,815.09, sup; Flowers by Rose, \$79.00, sup; Freeman's Electric, \$107.10, rep; G&H Distributing, \$389.49, sup; Gene's Lock Shop, \$182.00, rep; Godfrey Brake Service, \$822.58, rep; Grocery Mart, \$148.17, rep; Ken Grosch, \$30.00, other; Hauff Mid-America Sports, \$114.00, rep; Heartland Paper, \$280.85, sup; Heiman Fire Equipment, \$278.05, sup; Hersrud Co., \$451.41, rep; Hillyard, \$1,314.86, sup; Jack's Campers, \$1,500.00, refund; Jacobs Auto Repair, \$16.50, rep; Lori Jeffery-Kirk, \$480.00, sup; KT Connections, \$952.28, prof fee; Ketel Thorstenson, \$1,500.00, other; Kevin Klug, \$80.00, prof fee; KNKL Radio, \$1,500.00, pub; Lacal Equipment, \$297.73, rep; Legends Sales & Marketing, \$9,000.00, prof fee; Lynn's Dakotamart, \$487.73, sup; Autumn Lyons, \$86.77, sup; Valerie Martin, \$500.00, ins; Mcleod's Printing & Office Supply, \$1,022.99, sup; Meade County Auditor, \$8,449.59, other; Meade County Times Tribune, \$914.38, pub; Menard's, \$135.36, sup; Midcontinent Communications, \$41.05, util; MDU, \$3,026.84, util; Motionsoft, \$900.00, prof fee; Neve's Uniforms, \$479.43, sup; Northwest Pipe Fittings, \$653.27, sup; Oreilly auto Parts, \$153.51, rep; Oswald Entertainment, \$6,000.00, prof fee; Outlaw Vapor, \$200.00, refund; Owens Interstate Sales, \$327.92, rep; Park Avenue Car Wash, \$99.80, sup; Plant Diagnostic Clinic, \$165.00, rep;

Potomac Aviation Technology, \$306.77, rep; Power FX, \$560.00, refund; Power House, \$25.37, sup; Print Mark-et, \$1,055.62, pub; Public Risk Management Assn, \$385.00, other; Public Safety Equipment, \$199.50, sup; Rapid City Journal, \$319.75, pub; Rapid Delivery, \$12.08, rep; Rockingtree Floral, \$1,107.00, sup; Rosenbauer South Dakota, \$112.27, sup; Rushmore Communications, \$202.00, sup; Rushmore Office Supply, \$3,603.50, sup; S&C Cleaners, \$3,100.00, rep; SD Library Network, \$4,187.50, rep; SD Public Assurance Alliance, \$1,832.59, ins; Servall, \$2,017.48, sup; Sherwin-Williams, \$1,562.00, sup; Shopko, \$247.41, sup; Casey Snodgrass, \$32.25, refund; Speedy Lube, \$33.29, rep; Saint Francis Alter Society, \$15,913.33, other; Sturgis Harley Davidson, \$12.00, other; Sturgis Motorsports, \$87.92, rep; Sturgis NAPA, \$883.36, rep; Sturgis Sawmill, \$17.82, sup; Subway, \$119.50, sup; Summit Signs & Supply, \$307.50, rep; The Knuckle Saloon, \$300.00, sup; The Radar Shop, \$645.00, rep; Theatrical Services, \$394.00, rep; Tom's T's, \$4,589.70, sup; Tow Tec Towing, \$318.00, other; Town-n-country Plumbing, \$746.10, sup; Twilight First Aid, \$299.55, sup; Universal Athletic, \$715.00, sup; US Food Service, \$4,141.40, other; Vanway Trophy & Award, \$338.35, other; Vast Business, \$1,118.94, util; Verizon, \$184.03, util; West Payment Center, \$426.10, sup; West River Electric, \$664.10, util; Western Communications, \$134.00, sup; Zylstra Towing, \$250.00, other.

**Capital Improvements** – Ainsworth Benning, \$389,164.00; American Technical Services, \$3,888.00; Badger Lighting & Signs, \$15,959.49; Bituminous Paving, \$10,710.40; CSG Media SD, \$2,480.40; Dakota Hardware, \$11.73; Fourfront Design, \$4,009.43; Iverson Construction, \$3,028.55; King Appraisals, \$6,000.00; Shopko, \$36.98.

**Business Improvement District** – BHP, \$113.09; Downtown Sturgis Foundation, \$3,500.00; First Interstate Bank Mastercard, \$1,186.20; MDU, \$31.66.

**TIF #11** – Muth Electric, \$106,521.79.

**Liquor** – Amcon Distributing, \$6,120.56, resale; Arctic Glacier, \$1,955.44, resale; Black Hills Asphalt, \$382.65, rep; BH Chemical, \$3,583.26, sup; BHP, \$1,830.38, util; BH Rally & Gold, \$284.50, resale; Campbell Supply, \$670.90, resale; Cask & Cork, \$255.00, resale; Century Business Products, \$1.32, sup; Sturgis Water, \$261.24, util; Coca Cola, \$5,349.30, resale; Eagle Sales, \$43,644.47, resale; Ecolab Pest Eliminator, \$107.00, rep; Tom Ferguson, \$125.35, sup; First Interstate Bank, \$10,000.00; First Interstate Bank Mastercard, \$952.04, rep; Fisher Beverage, \$29,856.86, resale; Johnson Western Wholesale, \$110,287.15, resale; KT Connections, \$67.93, prof fee; Locks by Bernie, \$20.00, sup; Lynchburg Hardware, \$10,006.90, resale; Lynn's Dakotamart, \$553.11, sup; MDU, \$10.15, util; North Country Business Product, \$280.00, sup; Pepsi, \$398.00, resale; Prairie Berry, \$1,566.00, resale; Print Mark-et, \$62.10, pub; Republic Beverage Co., \$96,166.40, resale; Rushmore Office Supply, \$3,037.54, sup; Schade Vineyard, \$1,620.00, resale; Servall Towel & Linen, \$157.66, sup; Shopko, \$13.49, sup; The Homeslice Group, \$9,242.00, pub; Valiant Vineyard, \$2,640.00, resale.

**Water** – American Technical Services, \$1,590.00, prof fee; BHP, \$3,975.66, util; Butte Electric, \$790.76, util; Century Business Products, \$46.82, sup; Sturgis Water, \$112.79, util; First Interstate Bank Master Card, \$551.44, sup; MDU, \$82.04, util; Print Mark-et, \$62.10, pub; SD Water & Wastewater Assn, \$140.00, travel; Vast Business, \$31.78; White Platt Flat Trackers, \$2,500.00 refund;

**Wastewater** – A&J Surplus, \$30.95, rep; Bauer North America, \$69.90, rep; BHP, \$5,010.73, util; Campbell Supply, \$440.14, sup; CBH, \$47.50, rep; Chain Saw Center, \$183.34, rep; Sturgis Water Dept, \$21.21, util; Dakota Hardware, \$34.26, rep; First Interstate Bank Mastercard, \$35.47, other; Flexible Pipe Tool, \$81.10, rep; KT Connections, \$67.93, prof fee; Print Mark-et, \$62.10, pub; Rushmore Office Supply, \$4.95, sup; Verizon Wireless, \$46.72, util.

**Sanitation** – BH Chemical, \$5,254.99, sup; BHP, \$12.00, util; Campbell Supply, \$80.69, sup; CBH, \$1,735.20, sup; Century Business Leasing, \$193.58, prof fee; Century Business Products, \$64.88, prof fee; Century Link, \$54.71, util; Dakota Hardware, \$2.29, sup; Eddies Truck Sales, \$299.11, rep; Fastenal Co, \$6.21, rep; Great Western Tire, \$391.14, sup; KT Connections, \$67.93, prof fee; Kieffer Sanitation, \$1,244.29, other; Northern Truck Equipment, \$13,000.00, sup; Oreilly Auto Parts, \$20.21, rep; Owens Interstate Sales, \$571.69, rep; Petty Cash, \$9.75, rep;

Prairie Wind BH, \$238.50, rep; Print Mark-et, \$62.10, pub; Rapid Delivery, \$13.23, rep; Rotational Molding, \$27,775.00, sup; Sanitation Products, \$373.75, rep; Sturgis NAPA, \$136.88, rep.

**Ambulance** – Arrow International, \$1,683.71, sup; BHP, \$29.32, util; CBH, \$2,146.74, sup; Sturgis Water, \$114.49, util; Coca Cola, \$74.00, sup; Dakota Hardware, \$75.58, sup; Dale's Tire, \$686.04, sup; Emergency Medical Products, \$1,182.25, sup; Feld Fire, \$721.94, sup; First Interstate Bank Mastercard, \$1,713.23, travel; Foothills Home Medical, \$225.00, sup; KT Connections, \$67.93, prof fee; Kreisers, \$750.97, sup; Lynn's Dakotamart, \$43.25, sup; MDU, \$25.64, util; Powerhouse, \$20.30, sup; Print Mark-et, \$62.10, pub; Regional Health, \$122.25, sup; Richter's Tire & Exhaust, \$1,948.41 rep; Rushmore Communication, \$202.00, sup; Rushmore Office Supply, \$778.75, sup; Schwans, \$324.27, sup; Scott Peterson Motors, \$837.66, rep; Shaopko, \$344.92, sup; Spearfish Ambulance Service, \$8.00, prof fee; Saint Francis Alter Society, \$3,226.67, sup; Sturgis NAPA, \$367.01, sup; Vast Business, \$61.39, util; Verizon Wireless, \$22.02, util.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to approve a use of city property and Resolution 2015-58 – Closure of Streets and Permit for Open Containers - for the Sturgis Mustang Rally on Sept 1-6, 2015.

#### **RESOLUTION 2015 - 58**

#### **A RESOLUTION TO CLOSE STREETS TO CREATE AN SHOW AND SHINE AREA, AND TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, the Sturgis Mustang Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has supported the Sturgis Mustang Rally event in past years, and

WHEREAS, the Sturgis Mustang Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS, the request from the Sturgis Mustang Rally is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED that any banner to be installed by Sturgis Pubic Works staff shall be delivered in to the Public Works Department on Dudley Street in condition suitable for installation no later than 10:00 am on Monday, August 31st, and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall close certain streets to the public for a limited period of time to establish a Show and Shine event area on September 5, 2015 from 2:00 am to 8:00 pm on the public streets as follows:

1. On Main Street, beginning at the east edge of the Right of Way of 4<sup>th</sup> Street, and continuing east to intersection of Main Street and Junction Avenue, and resuming on the East side of Junction Avenue and continuing to the intersection of Main street and Middle street, and
2. For First Street, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and
3. For Harley Davidson Way, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and

4. For Third Street, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and

IT IS HEREBY FURTHER RESOLVED that the Sturgis Police Department will be authorized to ticket and tow illegally parked vehicles within that street closure area starting September 5, 2015 at 2:00 a.m., and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall establish an open container area on September 5, 2015 from 10:00 am to 7:00 pm on that public property open to the public, within area bounded as follows:

5. On the West by the eastern edge of the Right of Way of 4<sup>th</sup> Street, beginning at the intersection of 4<sup>th</sup> Street and Lazelle Street and continuing south to the intersection of 4<sup>th</sup> Street and Sherman Street, and
6. Bounded to the South by the North edge of the Sherman Street Right of Way between 4<sup>th</sup> Street and Middle Street, and
7. On the East by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing North to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, except for an extension further East across the Middle Street Right of Way and along and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, and
8. On the North by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1<sup>st</sup> Street, and further including the area within and between the Right of Way of 1<sup>st</sup> Street and 3<sup>rd</sup> Street that lies north of Lazelle Street and south of Bear Butte Creek, then continuing along the south edge of the Right of Way of Lazelle Street further west to the point of beginning.
9. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction, Main Street and Middle Street, Lazelle Street and Junction, 1<sup>st</sup> Street, Harley Davidson Way and 3<sup>rd</sup> Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Second Street, First Street, Main Street and Junction Avenue within these boundaries.

This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, any City Property not open to the public, and does not include any private property within the open container area.

Dated this 17th day of August, 2015.

Published: 08/26/2015  
Effective: Immediately

Motion by Bestgen, second by Bachand and carried with all members voting yes to deny the request from Steve Chandler to reimburse the tow bill for a vehicle that was towed from a motorcycle only parking zone during the Rally.

Mr. Craig Hobart Smith was unable to attend the meeting and will be on the next Council agenda.

Motion by Hersrud, second by Martin and carried with all members present voting yes to approve a Special Events license for Tom Termes to sell 50<sup>th</sup> Rally collector beer cans for a fundraiser for the National MS Society.

Motion by Hersrud, second by Bestgen and carried with all members present voting yes to approve first reading of Ordinance 2015-09 – Appropriations for 2016.

Motion by Bestgen, second by Anderson and carried Carstensen, Anderson, Bachand, Bestgen, Bradley, Dargatz, Martin and Waterland voting yes, Hersrud abstaining, to approve the purchase of a Bobcat S590 Skid-Steer Loader from Jenner Equipment for \$38,170 for the City Water Department. This purchase is through the National Joint Powers Association and the Cooperative Purchasing Venture Program.

Any other business:

John Grant, owner of Bob's Family Restaurant, had two concerns for the Council. No garbage receptacles on Main Street and no public restrooms. There are garbage receptacles at the pocket parks on Main Street. The City will look into these concerns.

Loraine Schaefer and Ed Husman were present to discuss the issues of drainage on 1<sup>st</sup> Avenue and asked the City to fix the drainage issues. The City is in the process of working on these storm water issues.

Councilor Bestgen stated his issues with drainage at his home in Murray Addition and poor planning with previous projects done by the City in the past. There are also concerns about the Dolan Creek project.

Councilor Hersrud asked about sidewalk project. The contractor that had been hired to fix sidewalks backed out. We have talked with another contractor and he should be contacting citizens who want to have their sidewalk fixed.

Motion by Martin, second by Hersrud and carried with all members present voting yes to go into executive session for personnel and contracts at 8:43 pm.

Motion by Waterland, second by Bradley and carried with all members present voting yes to return to regular session at 10:24 pm.

Motion by Waterland, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 10:24 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$